

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ABU DHABI COMMERCIAL BANK, et al.,  
Individually and On Behalf of All Others  
Similarly Situated,

Plaintiffs,

vs.

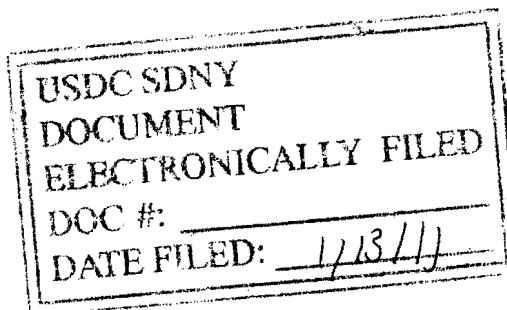
MORGAN STANLEY & CO.  
INCORPORATED, et al.,

Defendants.

Civil Action No. 1:08-cv-07508

CLASS ACTION

~~[PROPOSED]~~ ORDER GRANTING  
PLAINTIFFS' REQUEST FOR LEAVE TO  
FILE AN AMENDED COMPLAINT



After considering Plaintiffs' Motion for Leave to File an Amended Complaint, the Court finds as follows:

1. It would be in the interest of justice to grant plaintiffs leave to file an amended complaint.
2. Plaintiffs have not unduly delayed in seeking to amend the complaint, or exhibited bad faith or dilatory motive.
3. Leave to amend the complaint will not substantially prejudice defendants.
4. Amendment would not be futile.
5. The common law fraud and aiding and abetting claims asserted on behalf of the new plaintiffs arise out of the same transactions and occurrences as those already pled in the complaint, and questions of law and fact are common to the new plaintiffs and the existing plaintiffs.

Good cause appearing therefore,

IT IS HEREBY ORDERED that plaintiffs may file a Sixth Amended Complaint for Common Law Fraud and Aiding and Abetting, subject to the following conditions, as agreed to by the parties during a telephone conference held on January 12, 2011:  
**SO ORDERED.**

  
HONORABLE SHIRA A. SCHEINDLIN, U.S.D.J.

JAN 12, 2011

(1) the fact discovery deadline is unilaterally extended for defendants by two months to July 1, 2011; any additional discovery plaintiffs seek after May 1, 2011 (the current discovery deadline) will be permitted only if good cause is shown and if the discovery sought is specifically related to facts revealed during defendants' discovery of "New Plaintiffs" or "Additional Plaintiffs" (as defined in Plaintiffs' Motion for Leave to File an Amended Complaint);

(2) plaintiffs' deadline for adding any "Additional Plaintiffs" to this action is March 11, 2011.

**The clerk of the court is directed to close this motion (Docket No. 193).**